

REMARKS

The present application has been amended in response to the Examiner's Office Action to place the application in condition for allowance. Applicant, by the amendments and remarks presented above, has made a concerted effort to present claims which clearly define over the prior art of record, and thus to place this case in condition for allowance.

In the Office Action, the Examiner rejected claims 1-3, 11, 17 and 18 under 35 U.S.C. §102(b) as allegedly being anticipated by United States Patent No. 5,842,124 (Kenagy et al.) and the Examiner rejected claim 6 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kenagy in view of United States Patent No. 6,134,435 (Zicker et al.). Applicant has presented new claims in order to further distinguish the present invention from that which is disclosed in the prior art relied upon by the Examiner.

Of the new claims, claims 20, 36, 47, 63 and 74 are independent. Claim 20 is directed to a radio receiver which includes a housing, memory disposed in the housing, and a user interface. As claimed, the user interface is user operable to program features of the radio receiver, thereby defining a first operating configuration, and store the first operating configuration in memory. The user interface is also user operable to program features of the radio receiver thereby defining a second operating configuration, and store the second operating configuration in memory. The user interface is user operable to select between the first and second operating configuration, and wherein each operating configuration comprises a set of radio receiver features which have been programmed by the user using the user interface. The radio receiver is workable using either the

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first or second operating configuration, but the user interface is useable to select which of the first and second operating configurations is used by the radio receiver.

This is neither disclosed nor suggested by, for example, Kenagy et al. which discloses a system for use with cell phones. The reference does not disclose a radio receiver which meets all the limitations of claim 20. For example, while the system of Kenagy et al. includes memory and the ability for a user to program certain parameters of the cell phone, the reference neither discloses nor suggests a user interface is user operable to select between a first and second operating configuration, wherein each operating configuration comprises a set of radio receiver features which have been programmed by the user using the user interface. The reference also does not disclose a radio receiver which is workable using either the first or second operating configuration, but that the user interface is useable to select which of the first and second operating configurations is used by the radio receiver. As such, Applicant respectfully submits that claim 20 is allowable over Kenagy et al. The Zicker et al. reference also does not disclose or suggest what is being specifically claimed in claim 20. Applicant respectfully submits that claim 20, and those claims which depend therefrom, are allowable.

Applicant respectfully submits that at least some of the claims which depend from claim 20 further distinguish the claimed invention from that which is disclosed in the cited references. For example, claim 21 specifically claims that each of the operating configurations comprises a user-selected set of frequencies to be scanned by the radio receiver when that particular operating configuration is selected by the user. Claim 22 specifically claims that each of the operating configurations comprises at least one range of frequencies to be scanned by the radio receiver

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when that particular operating configuration is selected by the user, claim 23 specifically claims that each of the operating configurations comprises memory labels which are in use when that particular operating configuration is selected by the user, and claim 24 specifically claims that each of the operating configurations comprises talk-group identifications which are in use when that particular operating configuration is selected by the user. Applicant respectfully submits that none of the cited references, either alone or in combination, disclose or suggest what is being specifically claimed in claims 21-24.

Claim 25 specifically claims that the radio receiver is configured such that the user interface is useable to delete configurations from memory, and claim 26 specifically claims that the radio receiver is configured such that the user interface is useable to move configurations in memory. Applicant respectfully submits that none of the cited references, either alone or in combination, disclose or suggest what is being specifically claimed in claims 25 or 26.

Claim 27 specifically that the radio receiver includes a microprocessor which is disposed within the housing and in communication with the memory, wherein the microprocessor is configured such that the user interface is useable to manage a plurality of operating configurations stored in memory. Applicant respectfully submits that none of the cited references, either alone or in combination, disclose or suggest what is being specifically claimed in claim 27.

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Claim 31 specifically claims that the memory includes auxiliary memory in which the selected operating configuration is stored as well as non-selected operating configurations.

Claim 32 is similar but further claims working memory in which the selected operating configuration is stored. Applicant respectfully submits that none of the cited references, either alone or in combination, disclose or suggest what is being specifically claimed in claims 31 or 32.

Claim 34 specifically claims that the radio receiver is non-telephonic, and claim 35 specifically claims that the radio receiver is configured to check radio frequencies for activity, stop on a single frequency, and receive and demodulate a radio signal on the single frequency without transmitting on any frequency. Applicant respectfully submits that what is being specifically claimed in claims 34 and 35 is in direct contrast with, for example, that which is disclosed in Kenagy et al., which discloses a cell phone.

Claim 36 is also independent and is specifically directed to a radio receiver which includes a housing, memory disposed in the housing, and a user interface. As claimed, the user interface is user operable to program a plurality of configurations and store the configurations in memory. The radio receiver is configured to check radio frequencies for activity, stop on a single frequency, and receive and demodulate a radio signal on the single frequency without transmitting on any frequency. Each configuration includes a set of radio receiver features which have been programmed by the user using the user interface. The radio receiver is workable using any of the configurations, but the user interface is useable to select which of the configurations is

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used by the radio receiver. Each configuration comprises a user-selected set of frequencies to be scanned by the radio receiver when that particular operating configuration is selected.

This is neither disclosed nor suggested by, for example, Kenagy et al. which discloses a system for use with cell phones. The reference does not disclose a radio receiver which meets all the limitations of claim 36. Claim 36 specifically claims that the radio receiver is configured to check radio frequencies for activity, stop on a single frequency, and receive and demodulate a radio signal on the single frequency without transmitting on any frequency. Applicant respectfully submits that this is in direct contrast with, for example, that which is disclosed in Kenagy et al., which discloses a cell phone.

Also, while the system of Kenagy et al. includes memory and the ability for a user to program certain parameters of the cell phone, the reference neither discloses nor suggests a user interface which is user operable to program a plurality of configurations and store the configurations in memory. The cell phone disclosed in Kenagy et al. is not configured to check radio frequencies for activity, stop on a single frequency, and receive and demodulate a radio signal on the single frequency without transmitting on any frequency. Also, Kenagy et al. does not disclose that each configuration includes a set of radio receiver features which have been programmed by the user using the user interface, and that the radio receiver is workable using any of the configurations, but that a user interface is useable to select which of the configurations is used by the radio receiver. Kenagy et al. does not disclose that each configuration comprises a user-selected set of frequencies to be scanned by the radio receiver when that particular operating

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configuration is selected. As such, Applicant respectfully submits that claim 36, and those claims which depend therefrom, are allowable over the cited references, including Kenagy et al.

Applicant respectfully submits that at least some of the claims which depend from claim 36 further distinguish the claimed invention from that which is disclosed in the cited references. For example, claim 37 specifically claims that each of the operating configurations comprises at least one range of frequencies to be scanned by the radio receiver when that particular operating configuration is selected by the user, claim 38 specifically claims that each of the operating configurations comprises memory labels which are in use when that particular operating configuration is selected by the user, and claim 39 specifically claims that each of the operating configurations comprises talk-group identifications which are in use when that particular operating configuration is selected by the user. Applicant respectfully submits that none of the cited references, either alone or in combination, disclose or suggest what is being specifically claimed in claims 37-39.

Claim 40 specifically claims that the radio receiver is configured such that the user interface is useable to delete configurations from memory, and claim 41 specifically claims that the radio receiver is configured such that the user interface is useable to move configurations in memory. Applicant respectfully submits that none of the cited references, either alone or in combination, disclose or suggest what is being specifically claimed in claims 40 or 41.

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Claim 43 specifically claims that the memory includes auxiliary memory in which the selected operating configuration is stored as well as non-selected operating configurations. Claim 44 is similar but further claims working memory in which the selected operating configuration is stored. Applicant respectfully submits that none of the cited references, either alone or in combination, disclose or suggest what is being specifically claimed in claims 43 or 44. Claim 46 specifically claims that the radio receiver is non-telephonic, in direct contrast with, for example, that which is disclosed in Kenagy et al., which discloses a cell phone.

Claims 47-62 are similar to claims 20-35, but are directed to a method. Applicant respectfully asserts that claims 47-62 are allowable for at least the same reasons why claims 20-35 are allowable, as discussed hereinabove.

Claims 63-73 are similar to claims 36-46, but are directed to a method. Applicant respectfully asserts that claims 63-73 are allowable for at least the same reasons why claims 36-46 are allowable, as discussed hereinabove.

Claim 74 is also independent and is specifically directed to a radio receiver which includes memory and a user interface. As claimed, the radio receiver is configured such that the user interface is useable to define set up configurations each comprising a plurality of user programmed features. The radio receiver is configured such that the set up configurations are storable in memory using the user interface, and that the user interface is useable to select one of the set up configurations for use by the radio receiver.

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While the system of Kenagy et al. includes memory and the ability for a user to program certain parameters of the cell phone, the reference neither discloses nor suggests a user interface which is useable to define set up configurations each comprising a plurality of user programmed features. The reference also neither discloses nor suggests that the set up configurations are storable in memory using the user interface, and that the user interface is useable to select one of the set up configurations for use by the radio receiver.

Applicant respectfully submits that at least some of the claims which depend from claim 74 further distinguish the claimed invention from that which is disclosed in the cited references. For example, claim 75 specifically claims that each of the set up configurations comprises a user-selected set of frequencies to be scanned by the radio receiver when that particular set up configuration is selected by the user. Claim 76 specifically claims that each of the operating configurations comprises at least one range of frequencies to be scanned by the radio receiver when that particular operating configuration is selected by the user, claim 77 specifically claims that each of the operating configurations comprises memory labels which are in use when that particular operating configuration is selected by the user, and claim 78 specifically claims that each of the operating configurations comprises talk-group identifications which are in use when that particular operating configuration is selected by the user. Applicant respectfully submits that none of the cited references, either alone or in combination, disclose or suggest what is being specifically claimed in claims 75-78.

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Claim 79 specifically claims that the radio receiver is configured such that the user interface is useable to delete configurations from memory, and claim 80 specifically claims that the radio receiver is configured such that the user interface is useable to move configurations in memory. Applicant respectfully submits that none of the cited references, either alone or in combination, disclose or suggest what is being specifically claimed in claims 79 or 80.

Claim 83 specifically claims that the memory includes auxiliary memory in which the selected operating configuration is stored as well as non-selected operating configurations. Claim 84 is similar but further claims working memory in which the selected operating configuration is stored. Applicant respectfully submits that none of the cited references, either alone or in combination, disclose or suggest what is being specifically claimed in claims 83 or 84. Claim 86 specifically claims that the radio receiver is non-telephonic, in direct contrast with, for example, that which is disclosed in Kenagy et al., which discloses a cell phone.

Should the present claims not be deemed adequate to effectively define the patentable subject matter, the Examiner is respectfully urged to call the undersigned attorney of record to discuss the claims in an effort to reach an agreement toward allowance of the present application.

Respectfully submitted,

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